

I asked him for advice before I talked to him. Can I do this or can I do that? I do not want to be embarrassed, and I know he would not do that.

In any event, I just suggest as the Republican leader that I know that we want to accommodate our friends on the other side of the aisle. So if there is an effort to give Members a real list of relevant amendments, maybe we can do business. But do not give me a list of five amendments for this person, five for this person, everybody take five. We had 78. Give me a list of relevant amendments, relevant to this bill, and germane amendments. I bet they would not total over 15 or 20. We will do the same on our side of the aisle, and maybe by 2 or 3 p.m., we will have it down to 30 amendments. Then we might do business. But not with 100 or some.

We may never get cloture, but we will continue to try. Maybe the Governors and the mayors and the county commissioners and the taxpayers of America will understand, maybe not today, maybe not tomorrow, maybe not next week, but sooner or later, we need to pass this bill. There are not that many amendments. We will have every nongermane, nonrelevant amendment anybody has ever thought of. They are cleaning out their wastebaskets trying to find amendments.

We are prepared to do business. We urge our colleagues on both sides of the aisle to support this cloture motion. That will reduce the number of amendments drastically, but they would all be relevant. They would all be germane to this bill. They would be important amendments. We will probably spend an hour and a half or 2 hours on the catalog amendments. We spent an hour last night. It has nothing to do with this bill. So we are a little bit frustrated. The American people are frustrated.

We promised the American people we would listen to them, and we have not listened to them. We listened to everybody else. The American people want Members to pass this bill. The Governors, Democrats, Republicans, mayors, commissioners, you name it, want the Senate to pass this bill. We are not going to do it because the minority party says, "No, we don't want to do it." There is no hurry; we do not normally do work in January.

This is not a normal year. We are trying to deliver on the message the voters gave us last November, all of us on both sides of the aisle; not just Republicans.

However, if we are thwarted from our effort to deliver, they will not blame us. So we will stand here every day, at every opportunity, and tell the American people why we could not pass unfunded mandates. Two days would have been plenty for this bill; 2 days.

So I hope we will invoke cloture and move on to pass this bill, and then try to accommodate the President's wishes on Mexico, and following that, the balanced budget amendment.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators in accordance with the provisions of rule XXII of the Standing Rules of the Senate do hereby move to bring to a close debate on S. 1, the unfunded mandates bill:

Bob Dole, Dirk Kempthorne, Don Nickles, Connie Mack, Trent Lott, Thad Cochran, Alfonse D'Amato, Al Simpson, Strom Thurmond, Pete Domenici, Ted Stevens, Bill Cohen, Christopher S. Bond, Frank Murkowski, Jesse Helms, Spencer Abraham, Bob Smith, Larry E. Craig, Mike DeWine, and Bill Frist.

#### CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

#### VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the bill, S. 1, the unfunded mandates bill, shall be brought to a close?

The yeas and nays are required.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. PELL (when his name was called). Mr. President, on this vote I have a live pair with the Senator from Louisiana [Mr. JOHNSTON]. If he were present and voting, he would vote "no." If I were permitted to vote, I would vote "yea." I, therefore, withhold my vote.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] is necessarily absent.

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Louisiana [Mr. JOHNSTON].

If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Rhode Island would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 27 Leg.]

#### YEAS—54

Abraham	Faircloth	Lugar
Ashcroft	Frist	Mack
Bennett	Gorton	McCain
Bond	Gramm	McConnell
Brown	Grams	Murkowski
Burns	Grassley	Nickles
Campbell	Gregg	Packwood
Chafee	Hatch	Pressler
Coats	Hatfield	Roth
Cochran	Helms	Santorum
Cohen	Hutchison	Shelby
Coverdell	Inhofe	Simpson
Craig	Jeffords	Smith
D'Amato	Kassebaum	Snow
DeWine	Kempthorne	
Dole	Kyl	
Domenici	Lott	

Specter  
Stevens

Thomas  
Thompson  
Thurmond  
Warner

#### NAYS—44

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Bradley	Harkin	Murray
Breaux	Heflin	Nunn
Bryan	Hollings	Pryor
Bumpers	Inouye	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	

#### NOT VOTING—1

Johnston

#### PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Pell, for

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, as an original cosponsor of S. 1, the Unfunded Mandate Reform Act, I rise in strong support of this legislation.

The unfunded mandate reform bill is not only important in its own right, but it is also important to ensure that the balanced budget amendment to the Constitution—an amendment which I believe will be approved by the Senate and House of Representatives in the coming weeks—will be implemented as the American people intend.

The ideal balanced budget amendment would do more than just require a balanced budget. It would, in my view, limit Federal spending as well as the ability of the Federal Government to impose unfunded mandates.

As the Washington Times editorialized recently, "the real problem," referring to the budget deficit, "is lawmakers' dipsomaniacal spending habits. This is what we must control, one way or another." The Times went on to note my balanced budget/spending limitation amendment Senate Joint Resolution 3, which includes an explicit spending limitation, saying, "this version has obvious appeal—it is simple and straightforward," and, as such, that "a spending limit may do the job better than a tax limit."

Mr. President, I would assert that a spending limit is more than just "simple and straightforward." Whether or not a spending limitation is included in the balanced budget amendment, the only way to comply with a balanced budget requirement will be to limit Federal spending.

Some will no doubt argue that tax increases must be part of the solution. But I believe that, if they were, the budget would be balanced by now. We have had record-setting tax increases in 1990 and 1993. The cold fact is, however, that tax increases do not work—